

TRANSMITTAL LETTER TO THE UNITED STATES

ATTORNEY'S DOCKET NUMBER 47968

DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/EP 98/02242

INTERNATIONAL FILING DATE  
16 April 1998

PRIORITY DATE CLAIMED  
30 April 1997

TITLE OF INVENTION: EXPRESSION OF FUNGICIDE-BINDING POLYPEPTIDES IN PLANT FOR  
GENERATING FUNGICIDE TOLERANCE

APPLICANT(S) FOR DO/EO/US Eberhard AMMERMANN, Earle BUTTEFIELD, Jens LERCHL, Gisela LORENZ, Achim MOELLER,  
Udo RABE, Ralf-Michael SCHMIDT, Udo CONRAD

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following  
items and other information:

1. /X/ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
  2. / / This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
  3. /X/ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. /x / A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. /X/ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
    - a./X/ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b./ / has been transmitted by the International Bureau.
    - c./ / is not required, as the application was filed in the United States Receiving Office (RO/USO).
  6. /X/ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. / / Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
    - a./ / are transmitted herewith (required only if not transmitted by the International Bureau).
    - b./ / have been transmitted by the International Bureau.
    - c./ / have not been made; however, the time limit for making such amendments has NOT expired.
    - d./ / have not been made and will not be made.
  8. / / A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. /X/ An oath or declaration of the inventor(s) (35 U.S.C. 171(c)(4)).
  10. / / A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
- 11./X/ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  - 12./X/ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  - 13./X/ A FIRST preliminary amendment.  
/ / A SECOND or SUBSEQUENT preliminary amendment.
  14. / / A substitute specification.
  15. / / A change of power of attorney and/or address letter.
  - 16./X/ Other items or information.  
International Search Report  
International Preliminary Examination Report

5:43 PCT/PTO 25 OCT 1992

09/403654

U.S. Appl. No. 09/403654 INTERNATIONAL APPLN. NO.  
PCT/EP 98/02242

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		CALCULATIONS	PTO USE ONLY
17. /X/ The following fees are submitted			
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):			
Search Report has been prepared by the			
EPO or JPO.....	\$840.00	840.00	
International preliminary examination fee paid to USPTO			
(37 CFR 1.482).....	\$750.00		
No international preliminary examination fee paid to			
USPTO (37 CFR 1.482) but international search fee paid			
to USPTO (37 CFR 1.445(a)(2)).....	\$700.00		
Neither international preliminary examination fee			
(37 CFR 1.482) nor international search fee			
(37 CFR 1.445(a)(2)) paid to USPTO .....	\$ 970.00		
International preliminary examination fee paid to			
USPTO (37 CFR 1.482) and all claims satisfied pro			
-visions of PCT Article 33(2)-(4).....	\$96.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$	840.00
Surcharge of \$130.00 for furnishing the oath or declaration			
later than / / 20 / / 30 months from the earliest			
claimed priority date (37 CFR 1.492(e)).			
<u>Claims</u>	<u>Number Filed</u>	<u>Number Extra</u>	<u>Rate</u>
Total Claims	20 -20		X\$18.
Indep. Claims	5 -3	2	X\$78.
Multiple dependent claim(s) (if applicable)			+270.
TOTAL OF ABOVE CALCULATION		=	996.00
Reduction of 1/2 for filing by small entity, if applicable.			
Verified Small Entity statement must also be filed			
(Note 37 CFR 1.9, 1.27, 1.28).			
SUBTOTAL		=	996.00
Processing fee of \$130. for furnishing the English			
translation later than / / 20 / / 30 months from the			
earliest claimed priority date (37 CFR 1.492(f)). +			
TOTAL NATIONAL FEE		=	996.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)).			
The assignment must be accompanied by an appropriate cover			
sheet (37 CFR 3.28, 3.31) \$40.00 per property =			
TOTAL FEES ENCLOSED		= \$	1,036.00
Amount to be			
refunded:		\$	
Charged		\$	

- a./X/ A check in the amount of \$1,036. to cover the above fees is enclosed.
- b./ / Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c./X/ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0345. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  
KEIL & WEINKAUF  
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Herbert B. Keil  
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SIGNATURE